

DISTRICT OF COLUMBIA
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ALCOHOLIC BEVERAGE CONTROL BOARD
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MEETING

IN THE MATTER OF:

Assefa Kidane t/a	Protest
Manchester Bar & Restaurant	Hearing
944 Florida Avenue, NW	(Status)
Retailer CT - ANC-1B	
License No. 75377	
Case# 14-PRO-00037	

(Application to Renew the
License)

July 9, 2014

The Alcoholic Beverage Control
Board met in the Alcoholic Beverage Control
Hearing Room, Reeves Building, 2000 14th
Street, N.W., Suite 400S, Washington, D.C.
20009, Chairperson Ruthanne Miller, presiding.

PRESENT:

RUTHANNE MILLER, Chairperson
NICK ALBERTI, Member
DONALD BROOKS, Member
MIKE SILVERSTEIN, Member
HECTOR RODRIGUEZ, Member
JAMES SHORT, Member

1 P-R-O-C-E-E-D-I-N-G-S

2 (9:19 a.m.)

3 CHAIRPERSON MILLER: We are a
4 little bit earlier than normal, but I'm going
5 to move into our regular hearing calendar, if
6 some of the parties are here for that.

7 When I call your case, please,
8 come forward and take a seat at the table.
9 You will see that there is a piece of paper on
10 each table for you to sign-in and this is to
11 ensure the correct spelling of your name for
12 the record.

13 I also want to note that the Open
14 Meetings Act requires that the public hearing
15 on each case be open to the public. The Board
16 may, consistent with § 405(b) of the Open
17 Meetings Act, enter a closed meeting during or
18 after the public hearing on a case to consult
19 with an attorney to obtain legal advice,
20 discuss settlements or deliberate upon a
21 decision in an adjudication proceeding.

22 The first case on our calendar for

1 the morning is Case No. 14-PRO-00037,
2 Manchester Bar and Restaurant.

3 Are the parties here for that
4 case? We may have a problem.

5 MEMBER ALBERTI: I think we should
6 wait.

7 CHAIRPERSON MILLER: Okay. It
8 looks like people are not here, so we are
9 going to break for 10 minutes and come back at
10 9:30 when this hearing was announced for.
11 Okay.

12 (Whereupon, the above-entitled
13 matter went off the record at 9:20 a.m. and
14 resumed at 9:33 a.m.)

15 CHAIRPERSON MILLER: Okay. We are
16 back on the record for our morning calendar.
17 The first case on the calendar is Case No. 14-
18 PRO-00037, Manchester Bar and Restaurant
19 located at 944 Florida Avenue, N.W., License
20 No. 75377, in ANC-1B.

21 Good morning. Come forward and
22 take a seat. Are you protestants?

1 MR. RILEY: Protestants, yes.

2 CHAIRPERSON MILLER: Okay. Is the
3 applicant here?

4 MR. RILEY: I don't know.

5 CHAIRPERSON MILLER: All right.
6 What I'm going to ask you to do is just put
7 your name -- introduce yourselves for the
8 record.

9 COURT REPORTER: Sir, turn your
10 mike on.

11 CHAIRPERSON MILLER: No, not that.
12 Where is it? Okay. Good. Okay.

13 MR. RILEY: My name is W. David
14 Riley. I'm a protestant against Manchester
15 Bar and Restaurant.

16 CHAIRPERSON MILLER: David Bailey?
17 Bailey is your last name?

18 MR. RILEY: Riley.

19 CHAIRPERSON MILLER: Riley.

20 MR. RILEY: R-I-L-E-Y.

21 CHAIRPERSON MILLER: Okay. All
22 right. And your name?

1 MS. POOLE: My name is Josephine
2 Poole. And I live at 907 11th Street, N.W.

3 CHAIRPERSON MILLER: Okay. Could
4 you give me your last name again?

5 MS. POOLE: Poole.

6 CHAIRPERSON MILLER: Poole?

7 MS. POOLE: P-O-O-L-E.

8 CHAIRPERSON MILLER: Okay. So
9 it's 9:35 and we have several cases scheduled
10 starting at 9:30 and I'm going to ask if you
11 might take a seat in the audience again.

12 Let me just see if the applicant
13 is here. Oh, you are here. All right. Good
14 morning.

15 MS. TODD: Good morning.

16 CHAIRPERSON MILLER: Would you
17 introduce yourself when you are ready?

18 MS. TODD: Karen Todd, attorney
19 for the applicant, Manchester Bar and
20 Restaurant.

21 CHAIRPERSON MILLER: Okay. Good.
22 All right. So this is a Protest (Status)

1 Hearing and are there any issues that you need
2 to bring to our attention?

3 MS. TODD: No. We met for
4 mediation and it was unsuccessful, so we're
5 going to go forward.

6 CHAIRPERSON MILLER: Okay. So
7 what I'm going to do then is give you your
8 hearing date and that is September 10th at
9 1:30 p.m.

10 And I just want to tell you some
11 key things about the Protest Hearing and
12 getting ready for the Protest Hearing. And
13 that is that keep in mind that the purpose of
14 the Protest Hearing is to determine the
15 appropriateness of the establishment in the
16 section of the District where it is located
17 and that's in our regs at 23-1607.

18 Now, you will be receiving in the
19 mail a Protest Information Form and an Exhibit
20 Form. And these forms are very important for
21 the Protest Hearing. And if you -- you are
22 required to file them with the Board seven

1 days ahead of the hearing and also with the
2 opposing party seven days.

3 If you don't do that with respect
4 to the Protest Information Form, it's possible
5 your case could be dismissed. Yes?

6 MR. RILEY: You say with the
7 opposing party? We have to give them a copy?

8 CHAIRPERSON MILLER: Right. Ms.
9 Todd, you have to give her a copy.

10 MR. RILEY: Okay. We need the
11 address.

12 CHAIRPERSON MILLER: Okay. So you
13 guys can work that out and actually all the
14 parties. So if ANC is a party, you need to
15 serve them as well. And they will serve you.
16 Everybody will serve everybody, so then when
17 you get to the hearing, everybody will know
18 what everybody's case is about and they can be
19 prepared for it.

20 So the Protest Information Form
21 will be identified. There will be questions
22 and you will be identifying your witnesses by

1 full name and what they will be testifying to,
2 very briefly. And then you will identify on
3 the Exhibit Form your exhibits and you have to
4 have copies of your exhibits attached to it.

5 So that makes the hearing go much
6 more smoothly and the Board comes in knowing
7 exactly what the issues are.

8 Okay. So you will get this in the
9 mail. If you don't, call Tesha Anderson at
10 the Board and/or call Martha Jenkins. Tesha
11 Anderson's number is 442-6942.

12 Okay. I just realized there is
13 another party who doesn't seem to be here.
14 It's 9:39, the ANC. Does anybody have any
15 information with respect to the ANC? You
16 don't.

17 Okay. So we had passed this case
18 waiting for Ms. Todd. What the procedure is
19 is we have a rule that if a party doesn't
20 appear at the Status Hearing, they can be
21 dismissed.

22 So let me see, does anybody have

1 anything to say with respect to dismissing?

2 Hello? Are you on this case?

3 MR. NELSON: I'm just trying to
4 see. I'm from the ANC, but I don't know
5 whether this is the case I'm here for.

6 CHAIRPERSON MILLER: Okay.

7 MR. NELSON: ANC-1B.

8 CHAIRPERSON MILLER: This is ANC-
9 1B. Is there anybody here from ANC-1B? Oh,
10 okay. Oh, come forward, please.

11 MR. NELSON: All right. I
12 couldn't hear the name of the restaurant when
13 you said it.

14 CHAIRPERSON MILLER: Okay. Could
15 you pull up a chair? Could you introduce
16 yourself?

17 MR. NELSON: My name is Patrick
18 Nelson.

19 CHAIRPERSON MILLER: Okay. And
20 you are an ANC Commissioner in 1B?

21 MR. NELSON: I am on the ABC
22 Committee. I'm a committee member.

1 CHAIRPERSON MILLER: Okay. Are
2 you here on behalf of ANC-1B?

3 MR. NELSON: Yes, I am.

4 CHAIRPERSON MILLER: Okay. So I'm
5 sorry, you didn't know to come forward, but
6 you heard what I said about -- okay. Do you
7 have any questions then?

8 MR. NELSON: Tell me the date one
9 more time again?

10 CHAIRPERSON MILLER: The date is
11 September 10th at 1:30.

12 MR. NELSON: September 10th. What
13 time?

14 CHAIRPERSON MILLER: 1:30.

15 MR. NELSON: 1:30.

16 CHAIRPERSON MILLER: Okay. I'm
17 glad you are here. I don't like to have to
18 dismiss parties.

19 Any other questions? All right.
20 Then thank you very much. We will see you on
21 the 10th unless you settle or something.
22 Okay.

(Whereupon, the Protest (Status)

Hearing in the above-entitled matter was

concluded at 9:40 a.m.)

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